

the prevention of the fraud,—besides, as the laws now stood, or rather as they had been told by gentlemen learned in the law, it was practically construed—a man going from one district to the other, in the city of Baltimore, but the night before an election, was considered as having required the legal right to vote in the district into which he had gone. The practice was therefore legalized, and the person thus trampling on the right of those amongst whom he went, could not be reached by any penal law, because he had only done what it has been determined he had a legal right to do. To remedy this, we propose now to adopt a proposition making it unlawful, and to require such a length of residence as will enable the lawful voters to acquire the knowledge which will protect them against the consequences of such practices. He adverted to this practice of colonizing voters as prevailing to a considerable extent, not only in Baltimore and in some of the counties on the Chesapeake, but also as he had heard (he knew not how truly,) all along the Pennsylvania border. The measure proposed appeared to him to be a wise, and indeed, the only proper and efficient corrective, and he trusted the Convention would apply it. He was far, very far, from any desire to restrict the elective franchise—his object was to protect it in its purity. He was aware, as the gentleman had said, questions might arise as to what is meant by a legal residence, but that and similar questions can better be discussed and disposed of at another time. It was well known the abuse complained of did exist to a greater or less extent, and it certainly should be corrected.

Mr. KILGOUR moved to strike out thirty days and insert five. This restriction, he thought, would be sufficient to prevent the evils complained of.

The Chairman said the amendment was not now in order.

Mr. KILGOUR gave notice than when in order he would move it.

Mr. BRENT, of Baltimore city, called the yeas and nays pending the amendment, which were ordered:

Mr. JENIFER suggested that amidst so great a diversity of opinions as was held on this subject, gentlemen ought not to be too pertinacious about their own amendments. It was the general opinion of this body that no one who was entitled to vote, should be allowed to lose it, but that illegal votes should be excluded from the polls. These, then, are the two great objects to be accomplished. He thought that they would be most surely attained, not by grafting into the Constitution any particular term of residence, but by authorizing the Legislature to adopt regulations to that end. He had prepared a proposition on this point, which he intended to offer hereafter. He had no design to trammel the Legislature, or to restrict the franchise. So far from restricting it, he would give it the largest liberty. But it was necessary that something should be done to enable the judges of elections to decide who are entitled to vote. Without being satisfied that the judges would be qualified to decide on this point, it could not be entrusted

to them to decide the question. He would be willing to place it in the discretion of the judges, if all the voters could be known to them. But as that is not likely to be the case, he desired rather that it should be left to the Legislature to regulate the mode, and such was the purport of the proposition he intended to offer. He desired that the Legislature should provide for a proper registration of the votes, and this would accomplish the object. With this impression, he intended to move an amendment to this effect to come in at the end of the section. There would then be no inquisition into the legality of the voters. He wished to have no man voting who is not a *bona fide* citizen of the State. He intended to vote against all propositions to fix a certain term of residence; and if any motion to that effect should be adopted, he would move its reconsideration.

Mr. DORSEY said that when questions of such grave importance were before the Convention, and he had information calculated to throw any light upon them, he felt himself bound to give it. As to the adage of the ounce of prevention and pound of cure, he stated that the ounce of prevention was now proposed by those who thought with him, while the pound of cure which the gentleman from Baltimore county suggested was the punishment of those who are guilty of these outrages on the ballot box. The gentleman from Baltimore who first addressed the Convention on this subject, stated that a resident of the city of Baltimore was at liberty to vote in any of the wards of the city. There is no restriction on such, in the city, as to residence, whether of a day or a year; in which he concurred with the gentleman, as the charter of the city imposed no such restriction. Each election district and ward district elects its own Commissioners, and in Anne Arundel the same practice prevails. All the candidates—Congressmen, Sheriff, members of the House of Delegates and Commissioners of Congressional elections to be voted for, are voted for on one ticket—not a Congressman in one, a Sheriff in another, and so on, but all the names are on one ballot, and that single one is deposited in the ballot box. There was nothing in the Constitution as to the qualification in respect to residence in the different election districts, to prevent voters from voting in another election district than that in which they reside, so that the vote of one might be changed by the residents of another. The mode now presented appeared to him the most judicious that had been offered, and the best calculated to prevent abuse. The term of thirty days was that which he proposed as a term of residence. A gentleman, not now in his seat, had said that it would be idle to impose any restrictions as to the period after naturalization, when foreigners might be permitted to vote; and he assigned as his reason that the judges of elections, being warm political partizans of one of the parties, would reject the votes offered by voters who were not in favor of their party. Now he would not cast any such imputation on the judges of election. They are the only persons to whom the decision of such questions was